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Initiative Petition Information Sheet

Title of Petition: An Act to Increase Consumer Convenience and Choice by Permitting Food Stores to Sell Wine

Petition Number : 11-25

(to be filled in by Attorney General's Office staff)

Proponents' Contact

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Proponents' Attorney

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Optional:

Will the proponents propose a summary by the Monday, 5 days after the petition-filing deadline?

Yes XX No

Will the proponents submit a memo of law by the Friday 9 days after the petition-filing deadline?

Yes XX No

Please note that the above information will be made available to the public and particularly to possible opponents of certification. The Proponent and Proponents' Attorney (if any) will receive copies of any materials submitted by the public regarding certification.

AGO Staff Person Receiving Petition PS

(to be filled in by Attorney General's Office staff)

Date 8/3/2011

(to be filled in by Attorney General's Office staff)

AN ACT TO INCREASE CONSUMER CONVENIENCE AND CHOICE
BY PERMITTING FOOD STORES TO SELL WINE

Be it enacted by the People, and by their authority as follows:

Chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting the following section:

Section 15B. An additional class of licenses allowing the sale of wine at food stores is hereby created. These licenses shall be known as “wine at food store licenses” and may be issued at the discretion of local licensing authorities following the procedures set forth in section fifteen A of this chapter. For purposes of this section "food store" shall mean a grocery store, shop, supermarket, warehouse-type seller, club, outlet, or other seller, which sells at retail food for consumption off the seller's premises either alone or in combination with grocery items or other nondurable items typically found in a grocery store, provided such items are sold to individuals for their own personal, family, or household use; and provided further, that such food store must carry fresh or processed meat, poultry, dairy products, eggs, fresh fruit and produce, baked goods and baking ingredients, canned goods and dessert items.

Local licensing authorities may issue wine at food store licenses to individuals or business entities duly organized under the laws of the Commonwealth or any other state, provided the applicant is approved by the commission; and provided further that any individual applicant is twenty-one years of age or older and has not been convicted of a felony. No license holder may hold more than ten percent of the total number of wine at food store licenses this section authorizes local authorities to issue throughout the commonwealth, but wine at food store licenses shall not be considered in applying any limits on the number of licenses this chapter otherwise authorizes applicants to hold or local licensing authorities to issue. Irrespective of the number of other licenses issued under this chapter by a city or town’s licensing authorities, the local licensing authorities in any city or town are authorized, in their discretion, to issue up to five wine at food store licenses and, in any city or town with more than five thousand residents, to issue one additional such license for each additional population unit of five thousand or any fraction thereof residing in that city or town. Holders of such licenses may sell wine alone or in combination with any other item or items they offer for sale.

Except as expressly provided in this section, the provisions of law applicable to the issuance, renewal, suspension, and termination of licenses issued pursuant to section fifteen and the regulation of and operation by such license holders shall apply to wine at food store licenses and license holders. The amount of any initial or renewal fee for such a license shall be determined by the local licensing authorities issuing or renewing that license.

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